IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA)			
	Plaintiff,) 8:06CR369)	
	vs.)) DETENTION ORDER	
AN	TONIO ANTHONY SMITH,))	
	Defendant.	,	
A.	After conducting a detention hearing pursuant to 18 U.S.C. § 3142(f) of the Bail Reform Act on November 29, 2006, the Court orders the above-named defendant detained pursuant to 18 U.S.C. § 3142(e) and (i).		
B.	 Statement Of Reasons For The Detention The Court orders the defendant's detention because it finds: By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required. X By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community. 		
C.	The Court's findings are based on the evidence which was presented in court and which was contained in the Pretrial Services Report, and includes the following: X (1) Nature and circumstances of the offense charged: X (a) The crime: possession of a firearm after having been convicted of a felony (Count I) in violation of 18 U.S.C. § 922(g) and the possession of a stolen firearm (Count II) in violation of 18 U.S.C. § 922(j) each Count carrying a maximum sentence of ten years imprisonment. (b) The offense is a crime of violence. (c) The offense involves a large amount of controlled substances, to wit:		
	may affect wheth The defendant ha X The defendant ha X The defendant ha The defendant is The defendant d ties. Past conduct of t X The defendant ha	ppears to have a mental condition which er the defendant will appear. as no family ties in the area. as no steady employment. as no substantial financial resources. not a long time resident of the community. oes not have any significant community the defendant: as a history relating to drug abuse. as a history relating to alcohol abuse. as a significant prior criminal record. has a prior record of failure to appear at s.	

DETENTION ORDER - Page 2	
(c) Other F	
	The defendant is an illegal alien and is subject to deportation.
	The defendant is a legal alien and will be subject to deportation if convicted.
	The Bureau of Immigration and Custom Enforcement (BICE) has placed a detainer with the U.S. Marshal. Other:
release are as defendant's pi	nd seriousness of the danger posed by the defendant's follows: The nature of the charges in the Indictment and the rior criminal history which includes numerous incidents of eatened violence.

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel: and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: November 29, 2006. BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge